

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DAVID STARK,

Plaintiff,

v.

DETROIT DIESEL CORP., ATLANTIC
DETROIT DIESEL ALLISON, LLC, MTU
TOGNAM DETROIT DIESEL, INC., and MTU
NORTH AMERICA, INC.,

Defendants.

No. 2:12-cv-00803-JFB-ARL

ORAL ARGUMENT REQUESTED

NOTICE OF DEFENDANTS' MOTION TO DISMISS

The remaining Defendants, Detroit Diesel Corporation and Atlantic Detroit Diesel Allison, LLC, by and through their attorneys, Webster Szanyi LLP, hereby move to dismiss with prejudice all claims for relief enumerated in Plaintiff's amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for the reasons set forth in the accompanying Memorandum of Law.

WHEREFORE, Defendants file this Notice of Motion, in accordance with Local Rule 7.1(a)(1).

Dated: June 22, 2012

WEBSTER SZANYI LLP

Attorneys for Defendants Detroit Diesel
Corporation and Atlantic Detroit Diesel
Allison, LLP

By: *s/ Kevin A. Szanyi*

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